

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION**

STATE OF NORTH DAKOTA, et al., §
§
Plaintiffs, §
§
v. § CIVIL ACTION NO. 3:15-cv-00059-
§ RRE-ARS
UNITED STATES ENVIRONMENTAL §
PROTECTION AGENCY, et al., §
§
Defendants. §

**MOTION BY BCCA APPEAL GROUP FOR LEAVE TO FILE AMICUS CURIAE
BRIEFING**

TO THE HONORABLE UNITED STATES JUDGE:

The BCCA Appeal Group respectfully moves the Court for leave to submit an amicus curiae brief in the above captioned matter. BCCA Appeal Group's interest in the case is a desire to have consistent national determinations on definitions in federal rules. An amicus curiae brief from BCCA Appeal Group is desirable because it will assist the Court in understanding the repercussions of the Defendants' mistaken interpretation of this Court's injunction. The matters asserted in the BCCA Appeal Group amicus curiae brief attached herewith are relevant to the disposition of the case because they illustrate the practical effect of the Defendants' interpretation of this Court's injunction on entities with operations both inside and outside of the Plaintiff-states' jurisdictions.

Pursuant to this Court's Local Rule 7.1(G)(1), a copy of the amicus curiae brief is filed herewith.

Date: September 2, 2015

Respectfully submitted,

BAKER BOTTS, L.L.P.

By: /s/ Van H. Beckwith

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CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing was on this date automatically accomplished on all known filing users through the Notice of Electronic Filing Service and/or in accordance with the Federal Rules of Civil Procedure on this 2nd day of September, 2015.

/s/ Van H. Beckwith
Van H. Beckwith